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STATE OF CALIFORNIA — BUSINESS, TRANSPORTATION AND HOUSING AGENCY

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Docket Clerk

FHWA Docket No. FHWA-2001-11130 - 38

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DEPT OF TRANSPORTATION

Subject: Advance Notice of Proposed Rulemaking (ANPRM) Work Zone Safety

Docket Clerk:

The California Department of Transportation (Department) appreciates the opportunity to submit the enclosed comments regarding improvements to work zone safety, 23 CFR Part 630, subpart J, published in the *Federal Register* on February 6, 2002.

If you have any questions or need further information, please call me at (916) 324-0420.

Sincerely,

ALGERINE McCRAY
DEPUTY DIRECTOR

Enclosures

**Department of Transportation
Federal Highway Administration
23 CFR Part 630
FHWA Docket No. FHWA-2001-11130, RIN 2125-AE29
Work Zone Safety
Advanced notice of proposed rulemaking (ANPRM)**

The following is the compiled data of the California State Department of Transportation (Department) statewide responses regarding the ANPRM Work Zone Safety.

Division of Engineering Services:

Structure Design:

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- The Mobility policy should be a guidance tool which will allow states to balance the mobility requirements with other Federal & State mandates such as environmental and seismic constraints to develop projects that address those issues that impact constraints that arise.
- The Department requires a Constructibility Review during the PID phase of major projects.
- The Planning process should include construction and maintenance impacts as the scope and criteria.
- The Department VA and PID process already require alternative design strategies be developed. The Department could adopt life cycle cost analysis in a similar manner as VA analysis. In fact life cycle costing could be incorporated into the current federally mandated VA analysis.
- The best way to minimize utility delays during project development would be to modify the federal and state laws that prevent right-of-way engineering and verification of activities from being performed until late in the project development process.

Engineering Technology:

- State that there are long range methods and short range. The 1st sentence is long range and second is short.
- Impacts to road users are first identified during long range planning at the District level in the Transportation Corridor Study (TCR), the District System Management Plan (DSMP) and in the Transportation System Development Program (TSDP). In these documents, future planned and programmed projects are discussed along with any issues associated with them. These documents are part of the basis for developing short range planning for the Departments' Project Study Reports (PSR) or Scope and Summary Reports (PSSR). The transportation plans are circulated to the

local agencies affected in the region, which allows for further discussion regarding particular impacts of the various proposed and programmed projects.

- The extent metropolitan and statewide transportation planning processes should address cross-cutting policy issues that may contribute to increases in project costs would be in identifying (in general for statewide, in more detail for metropolitan):
 - a) The economic setting of the region, which puts pressure on the number and type of projects that ultimately get approved. (currently included)
 - b) The primary transportation beneficiary population and their work, housing and preference of transportation mode. (currently included)
 - c) Clearly the routes that will be affected by future growth and congestion and their proposed solutions. (currently included)
 - d) That there is a 'cost' to motorists as well as provide a statement or direction for subsequent PS & E to thoroughly research "...the use of more durable materials, life-cycle costing, complete closure of facilities, information sharing on utilities, etc." When developing Project Study Reports (PSR), Project Scope and Summary Reports (PSSR) and environmental documentation, possibly using a Best Practices Management scenario.
- Metropolitan level: Yes,
- Statewide level: No,
- Corridor level: Yes.

Public Outreach and Communications

The Title VI Program agrees with the issues raised in Items 16 & 17. These issues need to include consideration of ensuring that the eligible population has been identified and informed of anticipated work zone impacts and mitigation's measures in language readily understood by them. And, those meetings are conducted at times and in locations when the eligible population could attend.

With specific regard to Item 17, the communication plan should contain:

- Identification of the project's eligible population
- A demographic analysis of that populations by race, national origin, first language spoken, gender, age and disability.
- Perform a language needs assessment
- Ensure that English and alternative language (based on language needs assessment) media (radio, TV, newspaper, publications) have been identified and are used.
- Ensure meeting locations and times are conducive to the eligible population's attendance, specifically including minority, low-income and disabled populations.

- Notify the eligible population of availability of language assistance services
- Translation of vital documents in languages other than English
- Provide for oral language assistance
- Monitor and evaluate the language assistance and public participation through data collection and analysis of participants.
- Analyze public comment and actions planned to ensure that discrimination does not occur and that minority, low-income or disabled populations are not disproportionately impacted.
- If minority, low-income or disabled communities are disproportionately impacted or have specific needs make every effort to accommodate the need or mitigate the impact (s).
- On-going monitoring.